

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Investigation Into
Implementation of Assembly Bill 970 Regarding
the Identification of Electric Transmission and
Distribution Constraints, and Related Matters
Affecting the Reliability of Electric Supply.

Investigation 00-11-001
(Filed November 2, 2000)

**ADMINISTRATIVE LAW JUDGE'S RULING
ON NOTICE OF INTENT TO CLAIM COMPENSATION**

This ruling addresses the Supplemental Notice of Intent to Claim Compensation filed by The Utility Reform Network (TURN).

Revision of Estimated Participation

Pursuant to Pub. Util. Code §§ 1801 to 1812, TURN was found eligible for an award of compensation in this proceeding in the ruling of Administrative Law Judge Meg Gottstein, issued on February 5, 2001. The purpose of this supplemental filing is to update TURN's scope of planned participation and its estimate of potential compensation to take into account more recent developments in this case.

Section 1804(a)(2)(A)(i) of the Code requires a "statement of the nature and extent of the customer's planned participation in the proceeding as far as it is possible to set it out when the notice of intent is filed." TURN states that it expects to remain involved in the development of transmission costs for inclusion in Renewable Portfolio Standard bids. TURN also expects to be involved in the process, conducted jointly by the Commission and the California

Independent System Operator (ISO), to develop a standard economic methodology for assessing potential benefits of proposed transmission enhancements. This work involves participation in a series of workshops that are being conducted primarily by the ISO, with the goal of developing a methodology that will be examined as part of Phase 5 hearings in this proceeding. The first such workshop was held on February 3, 2004, at the ISO facilities in Folsom.

Revision of Estimated Compensation Request

Section 1804(a)(2)(A)(ii) of the Code requires an “itemized estimate of the compensation that the customer expects to request, given the likely duration of the proceeding as it appears at the time.” TURN initially proposed an itemized budget of \$38,000 for its participation in this proceeding. According to TURN, the increased complexity of this case, the phasing of issues, and the necessity for participation in the ISO technical workshops have significantly increased TURN’s estimate of the required costs for consultant and staff work.

For the renewable transmission issues, TURN now estimates that it will devote 50 hours of attorney Matthew Freedman’s time, at a proposed hourly rate of \$275, and 75 hours of consultant Kevin Woodruff’s time at an hourly rate of \$200. Adding in estimated expenses of \$1,250 produces a total projected budget of \$30,000 for that phase of the case.

For Phase 5 issues regarding the economic methodology for analysis of transmission projects, TURN now estimates 100 hours of attorney Mike Florio’s time at an hourly rate of \$460, 50 hours of Freedman’s time at an hourly rate of \$275, 100 hours of Woodruff’s time at \$200 per hour, and 100 hours for consultant Gayatri Schilberg of JBS Energy at \$140 per hour. Adding in

estimated expenses of \$1,250 results in a total budget of \$95,000 for Phase 5 of the proceeding.

Confirmation of Revisions

Since TURN has already been found eligible for compensation in this proceeding, this ruling simply confirms that TURN's participation in the ISO-directed workshops will be considered as part of TURN's compensable time in this proceeding.

Today's ruling goes only to the eligibility of TURN to claim compensation. It does not address the final merits of the claim, which the Commission will address after TURN has documented expenses in greater detail and demonstrated substantial contribution to the proceeding.

IT IS RULED that The Utility Reform Network is eligible to file for an award of intervenor compensation that includes the revised estimates of the time it intends to devote to this proceeding.

Dated May 11, 2004, at San Francisco, California.

/s/ CHARLOTTE F. TERKEURST

Charlotte F. Terkeurst
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling on Notice of Intent to Claim Compensation on all parties of record in this proceeding or their attorneys of record.

Dated May 11, 2004, at San Francisco, California.

/s/ ELIZABETH LEWIS
Elizabeth Lewis

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at

I.00-11-001 CFT/hl2

(415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.